



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/856,727	05/25/2001	Kentoku Yamaguchi	04329.2571	3367

22852 7590 10/07/2005

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER

SHARMA, SUJATHA R

ART UNIT PAPER NUMBER

2684

DATE MAILED: 10/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/856,727

Applicant(s)

YAMAGUCHI, KENTOKU

Examiner

Sujatha Sharma

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-8,10,11 and 14-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-8,10,11 and 14-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/25/01

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1,3,4,6-8,10,14,16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Widegren [US 6,374,112] in view of Robinson [GB 2 311 910 A].

Regarding claims 1,8,14,16 Widegren discloses a method of providing access to different radio communication services for a radio communication device. Widegren further discloses a radio communication terminal connected with a base station over radio channels for making communications with the base station comprising:

- First communication means for establishing first radio channels with the base station and making communications over the first radio channel; See summary and col. 2, line 64 – col. 4, line 16, col. 9, lines33-40 ; where a communication channel is established for example for voice communications
- second communication means for establishing a second radio channel with the base station and making communications over the second radio channel

Art Unit: 2684

simultaneously with the first communication means; See summary and col. 2, line 64 – col. 4, line 16, col. 9, lines 33-40 where more than one bearer/channel is assigned to user based on the requested service;

However, Widegren does not specifically disclose a method of informing an operator at the terminal of information transmitted to and received from the base station over the multiple channels for each radio channel.

Robinson, in the same field of endeavor, teaches a method of informing an operator at the terminal of information transmitted to and received from the base station over the multiple channels for each radio channel. See Fig. 3 and page 5, lines 21-27.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Robinson to Widegren in order to allow the user to monitor the desired quality of service.

Regarding claims 3,10 Widegren further discloses a radio communication terminal wherein the communication means has means for making at least voice data communication, video data communication, and message data communication. See summary of invention and col. 9, lines 33-40.

Regarding claim 4, Robinson further discloses a radio communication terminal wherein the informing means has display means that allows visual display. See Figs. 3,4 and page 5, lines 21-27.

Art Unit: 2684

Regarding claims 6, Widegren discloses a radio communication terminal connected with a base station over radio channels for making communications with the base station comprising:

- First communication means for establishing first radio channels with the base station and making communications over the first radio channel; See summary and col. 2, line 64 – col. 4, line 16, col. 9, lines 33-40 ; where a communication channel is established for example for voice communications
- second communication means for establishing a second radio channel with the base station and making communications over the second radio channel simultaneously with the first communication means; See summary and col. 2, line 64 – col. 4, line 16, col. 9, lines 33-40 where more than one bearer/channel is assigned to user based on the requested service;

However, Widegren does not specifically disclose a method of informing an operator at the terminal of information transmitted to and received from the base station over the multiple channels for each radio channel.

Robinson, in the same field of endeavor, teaches a method of informing an operator at the terminal of information transmitted to and received from the base station over the multiple channels for each radio channel. See Fig. 3 and page 5, lines 21-27.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Robinson to Widegren in order to allow the user to monitor the desired quality of service.

Art Unit: 2684

Regarding claim 7, Widegren further discloses a radio communication terminal wherein the communication means has means for making at least voice data communication, video data communication, and message data communication. See summary of invention and col. 9, lines 33-40.

1. Claims 5,11,15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Widegren [US 6,374,112] and Robinson [GB 2 311 910 A] in view of Smirnov [US 6,704,813].

Regarding claims 5,11,15 Widegren As modified by Robinson discloses all the limitations as claimed.

However he does not disclose the radio communication terminal further comprising storage means for storing information utilized when radio communications are made, and wherein the informing means has means informing the operator of the information transmitted to and received from the base station and the information read from the storage means.

Smirnov, in the same field of endeavor, teaches the use of a radio communication terminal further comprising storage means for storing information utilized when radio communications are made, and wherein the informing means has means informing the operator of the information transmitted to and received from the base station and the information read from the storage means. See col. 3, lines 25-30; col. 4, lines 50-59; col. 5, lines 9-16 and 31-42; col. 6, line 65 - col. 7, line 16; col. 7, line 60 – col. 8, line 15. Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Smirnov to Robinson in order to

Art Unit: 2684

facilitate the user to store the streaming information for later viewing at the convenience of the user.

Response to Arguments

4. Applicant's arguments with respect to claims 1,3-8,10,11,14-16 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Zicker [US 5,594,782] Multiple mode personal wireless communications system

Halton [US 6,697,346] Automatic determination point for random access channel partitioning scheme


Ozluturk [US 6,608,838] Subscriber unit which selectively utilizes B and D channels to support a plurality of communications

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sujatha Sharma whose telephone number is 571-272-7886. The examiner can normally be reached on Mon-Fri 7.30am - 4.00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2684

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Sujatha Sharma
September 19, 2005

EDAN ORGAD
PATENT EXAMINER/TELECOMM.

 9/20/05